

(ORDER LIST: 556 U.S.)

MONDAY, MARCH 9, 2009

**CERTIORARI -- SUMMARY DISPOSITIONS**

07-822 PA EMPLOYEES BENEFIT TRUST FUND V. ZENECA, INC., ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Wyeth v. Levine*, 555 U.S. \_\_ (2009).

08-437 COLACICCO, JOSEPH C., ET AL. V. APOTEX, INC., ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Wyeth v. Levine*, 555 U.S. \_\_ (2009). The Chief Justice took no part in the consideration or decision of this petition.

**ORDERS IN PENDING CASES**

08M65 CALLAHAN, DAVID E. V. DAVIS CORR. FACILITY, ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

08-295 ) TRAVELERS INDEMNITY CO., ET AL. V. BAILEY, PEARLIE, ET AL.

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08-307 ) COMMON LAW SETTLEMENT COUNSEL V. BAILEY, PEARLIE, ET AL.

The motion of Chubb Indemnity Insurance Company for divided argument is granted and the time is divided as follows: 20 minutes to Cascino Asbestos Claimants, and 10 minutes to Chubb Indemnity Insurance Company.

08-441 GROSS, JACK V. FBL FINANCIAL SERVICES, INC.

The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

08-730 AM. BANKERS ASSOCIATION, ET AL. V. BROWN, ATT'Y GEN. OF CA

The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

08-8012 MIERZWA, EDWARD, ET UX. V. UNITED STATES, ET AL.

08-8014 BURKE, MICHAEL A. V. BARRISTER LAW GROUP, ET AL.

08-8015 BURKE, MICHAEL A. V. WEINER, GERALD T., ET AL.

08-8032 BURKE, MICHAEL A. V. ALSO CORNERSTONE, ET AL.

08-8033 BURKE, MICHAEL A. V. STANDARD OIL, INC., ET AL.

08-8048 BURKE, MICHAEL A. V. CONNECTICUT, ET AL.

08-8137 BURKE, MICHAEL A. V. CONNECTICUT, ET AL.

08-8138 BURKE, MICHAEL A. V. APT FOUNDATION, ET AL.

08-8139 BURKE, MICHAEL A. V. ALSO CORNERSTONE, ET AL.

08-8586 RANSOM, PAUL A. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until March 30, 2009, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI GRANTED**

08-586 JONES, JERRY N., ET AL. V. HARRIS ASSOCIATES L.P.

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

08-530 NEW YORK, NY, ET AL. V. BERETTA U.S.A. CORP., ET AL.

08-545 LAWSON, BRYANT, ET AL. V. BERETTA U.S.A. CORP., ET AL.

08-596 WILSON, JASON V. HOGSTEN, WARDEN, ET AL.

08-648 BREWER, AZ SEC. OF STATE V. NADER, RALPH, ET AL.

08-723 ROYAL ATLANTIC CORP., ET AL. V. ROBERTS, JUNE, ET AL.

08-734 SZYMANSKI, DAVID G. V. FLETCHER-HARLEE CORP.

08-825 McFARLAND, JOHN J. V. SALAZAR, SEC. OF INTERIOR

08-831 LANGLEY, GREGORY V. KENTUCKY

08-832 MITCHELL, TODD V. TEXAS

08-834 CHRISTOPHER, J. KAMAU V. NORTH CAROLINA STATE UNIVERSITY

08-838 JAIN, NAVEEN, ET UX. V. J.P. MORGAN SECURITIES, INC.

08-839 HORNOT, JANICE M. V. CARDENAS, LEONARD

08-841 M. H., ET UX. V. MONROE-WOODBURY SCHOOL DISTRICT

08-842 FELDERHOF, INGRID V. JENKENS & GILCHRIST, ET AL.

08-845 SKONIECZNY, PATRICIA J. V. KATEKOVICH, LYNN, ET AL.

08-847 MUNIAUCTION, INC. V. THOMSON CORP., ET AL.

08-851 GRYNBERG, JACK J., ET AL. V. TOTAL S.A., ET AL.

08-855 FOWLER, CLIFFORD C. V. CRAWFORD, LARRY, ET AL.

08-857 BROWN, BOBBY J., ET AL. V. TURNER, JOHN, ET AL.

08-867 APOTEX CORP., ET AL. V. ASTRAZENECA AB, ET AL.

08-877 SANEH, ABDUL V. HOLDER, ATT'Y GEN.

08-879 VUKSICH, JOHN M. V. UNITED STATES

08-912 BRAUS, NANCY V. BOWEN, RAY M., ET AL.

08-918 R.J. REYNOLDS TOBACCO CO. V. STAR SCIENTIFIC, INC.

08-926 RISTROPH, DON L. V. PIPELINE TECHNOLOGY VI, LLC

08-1003 CASTELLAR, MARCO F. V. UNITED STATES

08-6320 SORROW, LOYD L. V. QUARTERMAN, DIR., TX DCJ

08-6890 GREEN, JOHN V. UNITED STATES

08-7013 GRAY, WILLIAM R. V. BRANKER, WARDEN

08-7103 DIGGS, JUNIOUS G V. PENNSYLVANIA

08-7122 GARCIA, DAVID M. V. UNITED STATES

08-7172 WILLIAMS, ROBERT V. UNITED STATES

08-7402 CONTRERAS-HERNANDEZ, JOSE V. UNITED STATES

08-7460 ARMSTRONG, SHAD D. V. ARIZONA

08-7466 VALLE-MARTINEZ, CARLOS V. UNITED STATES

08-7650 ) AREF, YASSIN V. UNITED STATES  
)

08-7651 ) HOSSAIN, MOHAMMED V. UNITED STATES

08-7969 KING, ERIC J. V. SCHRIRO, DIR., AZ DOC

08-7995 MAXWELL, EDWARD V. SMITH, DAVID

08-7996 MALCOM, ARVEN V. WOODBRIDGE, CHARLES A., ET AL.

08-7998 WOOTEN, SUSAN K. V. ILLINOIS

08-8002 MARTIN, RONNIE S. V. CALIFORNIA

08-8003 JOHNSON, DERRICK L. V. QUARTERMAN, DIR., TX DCJ

08-8006 TROUTT, MARK A. V. JONES, DIR., OK DOC

08-8011 McDONNELL, BRIAN, ET AL. V. FLORIDA

08-8019 COCHRAN, MAC D. V. ADAMS, WARDEN, ET AL.

08-8020 MORALES, JOSE L. V. ABT, LLC

08-8021 VICK, JASPER L. V. TENNESSEE

08-8022 JORDAN, LAVERNE A. V. DISTRICT OF COLUMBIA, ET AL.

08-8023 MOENING, THOMAS C. V. MICHIGAN

08-8027 O'CONNOR, ANDREW J. V. ST. JOHN'S COLLEGE, ET AL.

08-8031 TURNBOW, JOHN V. QUARTERMAN, DIR., TX DCJ

08-8039 WATSON, LAWRENCE V. HANLON, SYDNEY, ET AL.

08-8047 THREADGILL, BRAD V. QUARTERMAN, DIR., TX DCJ

08-8053 MUNGUIA, FELIX A. V. DEXTER, WARDEN

08-8055 PRATT, JAMES A. V. TEXAS

08-8057 McMANUS, CHARLES V. SCHRIRO, DIR., AZ DOC, ET AL.

08-8060 HERNANDEZ, RICHARD A. V. LAMARQUE, WARDEN, ET AL.

08-8065 TREJO, OSCAR A. V. CALIFORNIA  
08-8066 WARD, ANTONIO V. FLORIDA  
08-8069 BRIONES, JESUS C. V. HEDGPETH, WARDEN  
08-8071 BAILUM, CARLOS V. OHIO  
08-8073 WEAVER, MICHAEL T. V. FLORIDA  
08-8074 VERDI, BILLIE J. V. TEXAS, ET AL.  
08-8075 WILLIAMS, CHARLES V. PENNSYLVANIA  
08-8077 WITHERSPOON, MARCELUS V. ILLINOIS  
08-8083 FAN, ANGELA V. ROE, CHARLES R., ET AL.  
08-8092 MINOR, ERNEST L. V. QUARTERMAN, DIR., TX DCJ  
08-8094 OSUMI, CHRISTOPHER S. V. GIURBINO, WARDEN  
08-8098 SMITH, HAKEEM D. V. BRUNSMAN, WARDEN  
08-8100 BROWN, RICHARD N. V. GIURBINO, WARDEN, ET AL.  
08-8101 BROWN, EMBRA V. METRISH, WARDEN  
08-8104 AKERS, ROBERT V. ILLINOIS  
08-8105 ALLEN, ROBERT W. V. WINE, SCOTT, ET AL.  
08-8111 MARIN, MEL M. V. TILTON AND SOLOT  
08-8113 KIRSCH, JAMES V. NEW YORK  
08-8114 GORBY, OLEN C. V. McNEIL, SEC., FL DOC  
08-8116 POINTER, TYRONE V. LUCE, JUDGE, ETC., ET AL.  
08-8127 McCALL, GUY L. V. WOODS, SUPT., UPSTATE  
08-8133 LEE, CHRISTOPHER V. MISSISSIPPI  
08-8134 JACKSON, KEVIN V. SENKOWSKI, SUPT., CLINTON  
08-8135 SIMS, CARLAYNE V. NEW YORK, NY, ET AL.  
08-8144 WOODALL, SHAWN V. TEETER, JANICE  
08-8145 AL-GHIZZAWI, ABDUL V. BUSH, PRESIDENT OF U.S., ET AL.  
08-8155 STEWART, CARL W. V. UNITED STATES  
08-8161 CARSON, THOMAS D. V. COOPER, SUPT., AVERY MITCHELL

08-8175 VETA, JEFFREY N. V. ARIZONA  
08-8225 BROWN, SAMUEL N. V. HALL, WARDEN, ET AL.  
08-8238 UMALI, ISAIAS V. NEW YORK  
08-8326 WILLIAMS, BRIAN V. DAMRELL, JUDGE, USDC CA, ET AL.  
08-8339 RAMOS, ANGELO V. NEW YORK  
08-8470 LATOS, CHERYL V. CIR  
08-8490 HOWARD, CEDRIC V. UNITED STATES  
08-8496 GUTIERREZ, RUDY V. UNITED STATES  
08-8500 SPAULDING, JOSHUA V. UNITED STATES  
08-8503 GARVIN, WILLIE D. V. UNITED STATES  
08-8504 GOMEZ-ASTORGA, ISRAEL V. UNITED STATES  
08-8507 RICE, RAESHIO V. UNITED STATES  
08-8510 HAYS, MARK L. V. UNITED STATES  
08-8511 HARRISON, WILLIAM H. V. HERBEL, BRYON, ET AL.  
08-8514 FELICIANO, OMAR V. UNITED STATES  
08-8519 DANIELS, HARRY J. V. UNITED STATES  
08-8523 MAGANA, JOSE L. V. UNITED STATES  
08-8524 OCAMPO-ZUNIGA, DENIS L. V. UNITED STATES  
08-8525 MILLER, ROBERT E. V. UNITED STATES  
08-8526 MOREIRA, HECTOR V. UNITED STATES  
08-8529 BARAJAS-BECERRIL, HUREN V. UNITED STATES  
08-8530 BRAME, STEVEN V. UNITED STATES  
08-8531 BALSAM, ZANE V. UNITED STATES  
08-8532 AJAJ, AHMED M. V. UNITED STATES, ET AL.  
08-8534 BROWN, DERRICK V. UNITED STATES  
08-8535 JIMENEZ-HERNANDEZ, HECTOR V. UNITED STATES  
08-8536 GALDAMEZ-FUNES, EDWIN S. V. UNITED STATES  
08-8538 INFANTE-RAMIREZ, ENRIQUE V. UNITED STATES

08-8540 WANIGASINGHE, UDARA V. UNITED STATES  
08-8541 TRIUMPH, PATRICK V. UNITED STATES  
08-8544 COOK, WILLIAM D. V. UNITED STATES  
08-8545 DeCARLO, JULIAN V. UNITED STATES  
08-8551 ERCKERT, MARK S. V. UNITED STATES  
08-8552 DE JESUS-CHALA, JULIO C. V. UNITED STATES  
08-8554 MOORE, GARY, ET AL. V. UNITED STATES  
08-8555 McCAULEY, THOMAS L. V. UNITED STATES  
08-8562 SCHWEICKERT, SCOTT P. V. UNITED STATES  
08-8567 ARROYO-PEREZ, HUGO-ARMANDO V. UNITED STATES  
08-8569 BARCLAY, TIONNE S. V. UNITED STATES  
08-8572 VALDES, NELSON V. UNITED STATES  
08-8574 TAMPICO, JONATHAN V. UNITED STATES  
08-8579 CALHOUN, DAVID V. UNITED STATES  
08-8581 MUNOZ, JESUS C. V. UNITED STATES  
08-8582 McCOY, DYRRELL K. V. UNITED STATES  
08-8583 WOLFE, JOHN J. V. UNITED STATES  
08-8587 FULLER, LEONARD H. V. UNITED STATES  
08-8588 GRIST, JERRY L. V. UNITED STATES  
08-8593 MANLEY, LEVOIN V. UNITED STATES  
08-8594 CABANISS, ANTHONY V. UNITED STATES  
08-8596 CALDWELL, EUGENE V. UNITED STATES  
08-8599 FREEMAN, DERRICK L. V. UNITED STATES  
08-8600 VALADEZ-GARCIA, HECTOR V. UNITED STATES  
08-8601 WILLIAMS, DIONNA V. UNITED STATES  
08-8602 WALKER, SAMUEL V. UNITED STATES  
08-8624 SMITH, GREGORY V. UNITED STATES  
08-8627 LOPEZ, RICARDO V. UNITED STATES

08-8630 AMOS, HAROLD P. V. UNITED STATES

08-8631 ADAMS, ROLAND V. UNITED STATES

08-8637 VARGAS-CASTANEDA, JOSE V. UNITED STATES

The petitions for writs of certiorari are denied.

08-551 BRANKER, WARDEN V. GRAY, WILLIAM R.

The motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

08-8007 WATERS, TIMOTHY E. V. PARKER, WARDEN

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

08-8056 MYRON, JAMES M. V. SCHWARZENEGGER, GOV. OF CA

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

08-8067 BOYD, JOANNE V. STATE FARM INSURANCE CO.

08-8107 COGGINS, GENE V. KEYS, MIKE

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari

are dismissed. See Rule 39.8.

08-8108 DOLENZ, BERNARD V. FAHEY, MEGAN J., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

08-8129 SEARLES, SUZANNE V. WEST HARTFORD BD. OF ED., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

08-8453 CHURCH, WILLIAM L. A. V. UNITED STATES, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

**HABEAS CORPUS DENIED**

08-8642 IN RE MARK A. HNATKOVICH

08-8716 IN RE RONNIE R. LITTLE BEY

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

08-8088 IN RE H. E. ELYA PEKER

08-8576 IN RE CHARLES COSGROVE, JR.

The petitions for writs of mandamus are denied.

08-835 IN RE J. KAMAU CHRISTOPHER

The petition for a writ of mandamus and/or prohibition is denied.

08-8025 IN RE WILLIAM L. PUNCHARD

08-8026 IN RE WILLIAM L. PUNCHARD

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of mandamus and/or prohibition are dismissed. See Rule 39.8.

**REHEARINGS DENIED**

08-498 DALTON, CURTIS M. V. TILLER, JERRY, ET AL.

08-597 DUMORANGE, GERARD P. V. MIAMI, FL

08-657 MARVIN, LAWRENCE D. V. FRATERNAL ORDER OF EAGLES

08-6420 SPOTTSVILLE, DANIEL A. V. TERRY, WARDEN

08-6559 DASISA, MIHRETU B. V. UNIV. OF THE DC BD. OF TRUSTEES

08-6683 BULINGTON, WILLIAM-GLENN V. QUARTERMAN, DIR., TX DCJ

08-7343 ANDREWS-WILLMANN, DEBORAH E. V. PAULSON, SEC. OF TREASURY

The petitions for rehearing are denied.

08-510 IVALDY, PHILLIP V. LORAL SPACE & COMMUNICATIONS

The petition for rehearing is denied. The Chief Justice took no part in the consideration or decision of this petition.

08-7001

MUCKLE, PAUL L., ET AL. V. FREEMONT INVESTMENTS, ET AL.

The motion for leave to file a petition for rehearing is denied.